

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 6/28/2021

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COREY A. LATIMER, SR.
Plaintiff,

v.

MARK ROYCE, Superintendent; SGT.
ROSITA ROSSY; and SGT. DAVID
MAZELLA,
Defendants.
-----X

ORDER

21 CV 1275 (VB)

On June 28, 2021, defendants filed a motion to dismiss and therein provided the correct names of the defendants. (Doc. #16).

Pursuant to Local Civil Rule 6.1(b), "any opposing affidavits and answering [memoranda of law] shall be served within fourteen days after service of the moving papers." Accordingly, plaintiff's opposition to defendants' motion to dismiss would ordinarily be due on July 12, 2021.

However, because plaintiff is incarcerated and proceeding pro se, the Court sua sponte extends plaintiff's time to oppose the motion to dismiss to **July 28, 2021**. **If plaintiff fails to oppose the motion or request an extension of time by July 28, 2021, the motion will be considered fully submitted and unopposed.**

Moreover, the Clerk of Court is directed to update the caption and the docket to reflect defendants' corrected names, as listed in the caption above.

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket. Plaintiff is reminded to notify the Court in writing if his address changes, and the Court may dismiss the action if plaintiff fails to do so.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Dated: June 28, 2021
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge